

I hope the American people will look at this debate and say: There is a fundamental right in this country, which the Supreme Court will get right in this next session, that is guaranteed to us as part of our liberty. It was inculcated into everything our Founders did. Knowing it to be true, it was written into our Constitution. Many of the rights we have today that we cling to so dearly were never even considered by our Founders but have come about as a result of what the judicial branch has said.

If you are going to use States rights as a position to defend your vote against this bill, I suggest that your constituencies look at your other votes on States rights and see if there isn't some big dissonance with that position. You will find it in every case.

I yield the floor.

The PRESIDING OFFICER. The Senator from California.

Mrs. BOXER. Mr. President, I ask unanimous consent to be yielded 7 minutes rather than 5. I have cleared that with Senator DURBIN.

Mr. THUNE. How much time remains on the other side?

The PRESIDING OFFICER. There is 8 minutes 35 seconds.

Mrs. BOXER. I ask unanimous consent for 6 minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mrs. BOXER. Mr. President, I agree with the Senator from Oklahoma on one thing. I hope the American people are watching this debate. I truly do. We are talking about a radical proposal that is opposed by Democrats and Republicans in my home State. I have never seen the phones ringing off the hook to this degree.

I ask unanimous consent to have printed in the RECORD a statement by the California Police Chiefs Association.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

CALIFORNIA
POLICE CHIEFS ASSOCIATION,
Sacramento, CA July 21, 2009.

Re Protect America's police officers, our citizens, and states rights by voting no on the Thune amendment (S.845/H.R.197/H.R. 1620).

Senator BARBARA BOXER,
*Hart Senate Office Building,
Washington, DC.*

DEAR SENATOR BOXER, the California Police Chiefs Association is strongly opposed to the Thune Amendment (S.845). This legislation would require California to honor concealed carry permits granted by other states, even when those permit holders could not meet the standards required by California law. This would strip California of the power to create its own public safety laws, and hand that power to the states with the weakest protections. The Thune Amendment would also empower gun traffickers and threaten the safety of our police officers.

California, like most states across America, has intensely deliberated how best to balance community safety needs with the rights of our citizens to bear arms. We have, like almost all states, set various standards in addition to those in place under federal

law. The linchpin of California concealed carry permitting is local law enforcement discretion. In addition to certain explicit statutory provisions, such as the exclusion of violent misdemeanants and certain juvenile offenders, California police chiefs and sheriffs have the discretion to deny a permit if they believe an applicant will present a danger to public safety. California also requires each applicant to complete a firearms safety course, demonstrate moral character, and justify the reason for applying for a permit. California's standards keep guns out of the hands of dangerous criminals. The Thune Amendment, however, would permit citizens of states with less strict laws to freely carry concealed weapons in our state.

This legislation will also aid and abet gun traffickers. Criminal traffickers already rely on states with weak laws as a source for the guns they sell illegally, according to a report issued by Mayors Against Illegal Guns in December 2008. In fact, the report showed that 30% of crime guns crossed state lines before they were recovered. This bill would frustrate law enforcement by allowing criminal traffickers to travel to their rendezvous with loaded handguns in the glove compartment. Even more troubling, a trafficker holding an out-of-state permit would be able to walk the streets of any city with a backpack full of loaded guns, enjoying impunity from police unless he was caught in the act of selling a firearm to another criminal.

Finally, this law would not only frustrate our police officers, it would endanger them. Policing our streets is perilous enough without increasing the number of guns that officers encounter. Confusion among police officers as to the legality of firearm possession could result in catastrophe. Congress should be working to make the job of a police officer more safe—not less.

As President of the California Police Chiefs Association, I urge you to protect California's ability to protect its communities from gun violence by voting against the Thune Amendment (S. 845/H.R. 197/H.R. 1620).

Sincerely,

BERNARD K. MELEKIAN,
President.

Mrs. BOXER. The police chiefs, letter is so tough and so strong. It reads in part:

The California Police Chiefs Association is strongly opposed to the Thune amendment. The legislation would require California to honor concealed carry permits granted by other States, even when those permit holders could not meet the standards required by California law. The Thune amendment would empower gun traffickers and threaten the safety of our police officers.

If there is one thing we should do for our police officers, it is not make their lives any tougher than they are. We recently lost four police officers in Oakland. The whole community suffered along with those families. My police chiefs talk about this:

A trafficker holding an out-of-State permit would be able to walk the streets of any city in America with a backpack full of loaded guns, enjoying impunity from police unless he was caught in the act of selling a firearm.

This is one of the strongest letters I have ever seen from my police chiefs. This debate is not about the right to own a gun. That has been settled by the Supreme Court in the Heller case. It is about allowing States to determine their own laws. And I totally get why some more rural States with fewer

people would have different laws on conceal and carry than a State of 38 million people, my home State of California. Leave us alone. Leave us alone. You want to have conceal and carry with very few requirements, fine. We have conceal and carry with many requirements, and it is working.

Some States do not have any limit on the number of weapons you could carry with one conceal and carry permit. So someone could come into my State, go into one of my schoolyards, and open up a duffle bag full of perfectly legal weapons.

We have approximately 3,300 gun deaths each year in my State. Let me repeat that: 3,300 gun deaths each year in California. Each one of them has a story of tragedy behind it. A lot of them are kids. So do not come down here and tell my State what we should be doing. I support your State. You should support my State. And that is exactly what Governor Schwarzenegger says. He says we have a right to write our own gun laws.

Mr. President, 34 California mayors and 400 mayors nationwide oppose the Thune amendment, as does the International Association of Chiefs of Police.

We have a lot of work to do. We have to work on health care. We have to work on energy independence. We have to work on getting down the deficit. We have to work on bringing down the debt. We have to work on educating our kids. But, oh, no, we are spending hours on an amendment that is offered that tells our States their laws are not to be respected when it comes to conceal and carry.

Do you know there are some States that allow a spousal abuser to carry a concealed carry weapon? Do you want that spousal abuser, maybe in a state of rage, to walk into another State with a duffle bag full of weapons? And my senior Senator—she read this, and she is a pretty good expert on this issue—says you could have an assault weapon in there. Is that what we want?

It is ironic, as we deal with health care issues—do you know what it costs to try to sew up somebody and heal somebody who has been a victim of a gunshot wound? We are training our doctors who go over to Iraq and Afghanistan in our cities.

So all my colleagues on the other side who come here and talk about Big Brother—Big Brother—going into their States and telling their States what to do, this is a case of Big Brother, clear and simple.

If I need to protect my people in California, I want to leave it to my people in California. I do not want to come in and tell them they have to live with other State laws that are weaker. It is just wrong. It flies in the face of States rights. It flies in the face of common sense. And again, the supreme irony is, it is coming from folks who say they love our States, they respect our States, the Federal Government has too much power. But all of a sudden—